

FINAL TEXT OF PROPOSED REGULATIONS

In the following, underline indicates additional text and ~~strikethrough~~ indicates deleted text.

Title 15. Crime Prevention and Corrections

Division 3. Adult Institutions, Programs and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

SUBCHAPTER 6. ADULT PAROLE

Reserved Article 2 is adopted.

Article 2. Preventing Parolee Crime Program (~~Reserved~~)

Under Article 2, reserved section 3520 is adopted to read:

3520. Preventing Parolee Crime Program. (~~Reserved~~)

The California Department of Corrections and Rehabilitation (CDCR) operates Preventing Parolee Crime Program operations within the department pursuant to Penal Code (PC) section 3068. The program allows providers to provide parolees with housing, sustenance, literacy training, drug treatment networks, job placement assistance, and other services as provided in this article. The purpose of the program is to prepare parolees for a return to society by offering services that increase success while on parole.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3521 is adopted to read:

3521. Preventing Parolee Crime Program Components. (~~Reserved~~)

The Preventing Parolee Crime Program includes, but is not limited to, the following Component Programs:

- (a) Parolee Service Center Program.
- (b) Residential Multi-Service Center Program.
- (c) Day Reporting Center Program.
- (d) Computer Literacy Learning Center Program.
- (e) Drug Treatment Network Program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3521.1 is adopted to read:

3521.1. Parolee Service Centers Program. (~~Reserved~~)

The Parolee Service Center (PSC) Program assists parolees in becoming productive citizens through transitional housing, and connecting parolees to community resources and support services.

(a) PSC facilities are used for residential placement of eligible parolees on a non-sanctioned basis, meaning that the placement was not the result of an adjudicated parole violation. PSC facilities may be used for residential placement of eligible parolees on a sanctioned basis, meaning that the placement was the result of an adjudicated parole violation at the parole unit level, or as a result of a Board of Parole Hearings action and referral. PSC facilities provide services to newly paroled inmates that do not have available resources, as well as homeless parolees and parolees seeking a positive change to their current situation.

(b) All parolees are eligible for placement in the PSC Program who voluntarily agree to participate in the program, except the following parolees who shall be excluded:

(1) Parolees who are required to register pursuant to PC section 290 (sex offenders) or PC section 457.1 (arson offenders).

(2) Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration.

(3) Parolees currently in need of detoxification.

(4) Parolees with a felony hold.

(5) Parolees with pending felony criminal charges.

(6) Interstate parolees. "Interstate parolees" is defined to mean felons from other states who are in California being supervised under the provisions of the Interstate Compact for Adult Offender Supervision, as provided in PC section 11180.

(7) Inmates released to non-revocable parole as provided in section 3505.

(c) The following parolees will be considered on a case-by-case basis for participation in the PSC Program:

(1) Parolees who have a past or current violent felony conviction pursuant to PC section 667.5(c).

(2) Parolees who have a current felony conviction pursuant to PC section 1192.7(c) and/or 1192.8.

(3) Civil addict commitments.

(4) Parolees with a misdemeanor hold.

(5) Parolees who are designated high notoriety.

(6) Parolees who have a restraining order/court order and/or victim notification in the county of the PSC facility.

(7) Street gang members.

(8) Validated prison gang members.

(d) The PSC Program has an initial placement of 90-days, with the maximum stay not to exceed one year in accordance with subsection 3522(a)(1).

(e) Parolees remain on active parole status while participating in the PSC Program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3000.03, 3068 and 5054, Penal Code.

Under Article 2, reserved section 3521.2 is adopted to read:

3521.2. Residential Multi-Service Centers Program. (Reserved)

(a) The Residential Multi-Service Center (RMSC) Program's primary goal is to reduce parolee failures and their subsequent return to prison by providing a variety of services to homeless parolees and those in at-risk living environments.

(b) The RMSC Program offers a variety of services to male and female parolees that include housing, drug counseling, literacy training, job preparation/placement, anger management classes, as well as individual and group counseling. The program offers a standard placement of up to six months of residence with participation in a 90-day aftercare program. Parolees may be allowed to stay in residence up to a maximum of one year, as provided in subsection 3522(a)(1).

(c) All parolees are eligible for placement in the RMSC Program who voluntarily agree to participate in the program, except the following parolees who shall be excluded:

(1) Parolees who are required to register pursuant to PC section 290 (sex offenders) or PC section 457.1 (arson offenders).

(2) Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration.

(3) Parolees currently in need of detoxification.

(4) Parolees with a felony hold.

(5) Parolees with pending felony criminal charges.

(6) Interstate parolees as defined in subsection 3521.1(b)(6).

(7) Inmates released to non-revocable parole as provided in section 3505.

(d) The following parolees will be considered on a case-by-case basis for participation in the RMSC Program:

(1) Parolees who have a past or current violent felony conviction pursuant to PC section 667.5(c).

(2) Parolees who have a current felony conviction pursuant to PC section 1192.7(c) and/or 1192.8.

(3) Civil addict commitments.

(4) Parolees with a misdemeanor hold.

(5) Parolees who are designated high notoriety.

(6) Parolees who have a restraining order/court order and/or victim notification in the county of the RMSC facility.

(7) Street gang members.

(8) Validated prison gang members.

(e) Parolees remain on active parole status while participating in the RMSC Program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3000.03, 3068 and 5054, Penal Code.

Under Article 2, reserved section 3521.3 is adopted to read:

3521.3. Day Reporting Centers Program. ~~(Reserved)~~

The Day Reporting Center (DRC) Program provides “one-stop” parolee resource centers. The DRC Program conducts a comprehensive intake evaluation and assessment on referral parolees to determine their specific needs.

(a) Where available under the DRC Program, transitional housing shall be made available to eligible parolees who have no existing housing arrangement, or are living in an environment which is not conducive to maintaining a drug, alcohol, and/or crime-free lifestyle. Parolee housing may be dormitory style or individual rooms. The transitional living environment must be clean and conducive to alcohol and drug-free living.

(b) All Parolees are eligible for placement in the DRC Program who voluntarily agree to participate in the program, except the following parolees who shall be considered on a case-by-case basis:

(1) Parolees who are required to register pursuant to PC section 290 (sex offenders).

(2) Parolees who have a current or prior conviction for arson pursuant to PC sections 451(a), 451(b) or 451.5.

(c) Parolees remain on active parole status while participating in the DRC Program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3521.4 is adopted to read:

3521.4. ~~Computerized~~ Literacy Learning Center Program. ~~(Reserved)~~

The Computer Literacy Learning Center (CLLC) Program is a computer-assisted instructional program designed to increase the literacy skills of parolees, resulting in increased parolee employability and parole success. The primary educational focuses are: to identify the reading level and reading deficits of the parolees enrolled in the program; provide a user friendly training methodology; provide life skills

training; and to provide employment competency training. All parolees are eligible for placement in the CLLC Program who voluntarily agree to participate in the program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3521.5 title is amended, and new text is adopted to read:

3521.5. Drug Treatment Networks Program. (Reserved)

The Drug Treatment Network Program utilizes an education based program designed to provide substance abuse and relapse prevention instruction to parolees in need of substance abuse education. The Drug Treatment Network Program utilizes, but is not limited to, the Substance Abuse Treatment and Recovery (STAR) Program. All Parolees are eligible for placement in the Drug Treatment Network Program who voluntarily agree to participate in the program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Section 3521.6 title is deleted and Section number 3521.6 remains reserved for future use.

~~3521.6. Job Placement Networks.~~ (Reserved)

Under Article 2, reserved section 3522 is adopted to read:

3522. Preventing Parolee Crime Program Placement. (Reserved)

(a) Placement into a Preventing Parolee Crime Program Component Program will vary depending upon the needs of the parolee, and type of program that is required.

(1) For residential placement programs, placement times may vary. Some are for 90 days and others are for 180 days. Parolees may be allowed to stay longer, up to a maximum of one year, as determined on a case-by-case basis.

(2) Placement in non-residential programs will vary depending upon program availability.

(b) Staff shall not require that a parolee attend Alcoholics Anonymous, Narcotics Anonymous, or any other religious based program if the parolee refuses to participate in such a program for religious reasons. Under these circumstances, the parolee shall be referred to a program that is a non-religious based program. To facilitate program participation, it may be necessary to transfer the parolee to another county, as provided in subsection 3523(b).

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3523 title is amended, and new text is adopted to read:

3523. Procedures for Placing Parolees in a Component Program of the Preventing Parolee Crime Program. ~~(Reserved)~~

(a) Parole agents may place parolees in a Component Program of the Preventing Parolee Crime Program utilizing the CDCR Form 1502 (Rev. 10/06), Activity Report.

(b) Placement into some Component Programs of the Preventing Parolee Crime Program may require placement into a county outside of the parolee's county of last legal residence, as defined in PC section 3003. When reviewing a transfer outside of the county of last legal residence, the parolee's compliance with the requirements of PC section 3003 must be considered.

(c) A parolee's continued presence in a Component Program of the Preventing Parolee Crime Program is contingent upon the parolee participating in the program and is at the discretion of the Component Program facilitator and the parole agent. The parole unit supervisor will consider all case factors and the parolee's overall adjustment into the community and make the final decision on any issues that cannot be resolved between the Component Program facilitator and the parole agent.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3003, 3068 and 5054, Penal Code.

Under Article 2, reserved section 3524 title is removed, but section number will remain reserved for future use.

~~3524. Exclusionary Criteria.~~ (Reserved)

Under Article 2, reserved section 3525 title is amended, and new text is adopted to read:

3525. ~~Eligibility Criteria.~~ Preventing Parolee Crime Program Site Restriction. ~~(Reserved)~~

(a) All Preventing Parolee Crime Program Component Programs, as described in section 3521, shall ensure that the property line of any new program facility meets the following site restriction criteria:

(1) Compliance with all local ordinance zoning restrictions.

(2) The property line of the facility is no closer than 300 feet from a school, park, daycare facility, or place where children regularly gather.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3526 title is amended, and new text is adopted to read:

3526. Status While ~~Programming~~ Participating at in a the Preventing Parolee Crime Program Facility. ~~(Reserved)~~

Parolees shall remain on active parole status while participating in the Preventing Parolee Crime Program.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

Under Article 2, reserved section 3527 is adopted to read:

3527. Evaluation. ~~(Reserved)~~

The Preventing Parolee Crime Program will be continually monitored to examine the program's impact upon the supervision, control, and sanction of parolees under the jurisdiction of the sampled parole units.

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.